

**MINUTES
CITY OF CONVERSE
ECONOMIC DEVELOPMENT CORPORATION
BOARD OF DIRECTORS MEETING
September 17, 2008
6:30 PM**

Be it known that the City of Converse Economic Development Corporation Board of Directors met for a Regular Meeting at the City of Converse City Hall Conference Room No. 1, located at 405 South Seguin, on Wednesday, September 17, 2008, at 6:30 PM to discuss the following:

1. Call to Order.

Chairman Degenhardt called the meeting to order at 6:33 p.m.

2. Roll Call and Recognition of Visitors.

Those present were:

Mr. Carlton Degenhardt, Chairman	Dr. Jerry Riley, Vice-Chair
Mr. Howie Marbach, Director	Ms. Trish Seguin, Director
Mr. Craig Martin, Director	Mr. Joshua Cone, Director
Mr. John Mendoza, Director	Mr. Mark Luft, Executive Director
Mr. Ray Ortiz, Corporate Attorney	Mr. Gerald Wilson, Treasurer
Ms. Leigh Ann Rogers, Secretary	

Visitors, Ms. Pam Kenney and Ms. Rasha Youssef, were recognized.

3. Citizens to be Heard (limit remarks to 3 minutes)

Ms. Pam Kenney (recent Town Square resident and Link New Tech employee) praised the Town Square apartments and their staff and expressed gratitude to Mr. Luft for referring her to them.

Ms. Rasha Youssef (owner, Link New Tech) reported the reason for her attendance of tonight's meeting is to thank and give recognition to Mr. Luft. Ms. Youssef went on to report that Mr. Luft has been helpful to her in so many ways to include introducing her to high-ranking officials, government contracts, and providing assistance to her employees. Ms. Youssef stated that Mr. Luft is a valuable asset to the City of Converse and all of its small business owners.

4. Consent Agenda. All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Board Member.

- A.) Action to Approve the Minutes from the City of Converse Economic Development Corporation Board of Directors Meeting on August 12, 2008.**
- B.) Action to Approve Financial Report for July, 2008.**
- C.) Action to Approve Investment Report for July 2008.**

Mr. Martin requested removal of item 4A for consideration.

Mr. Mendoza requested removal of item 4C.

Chairman Degenhardt made a suggestion to dispense with the Consent Agenda and address each of the items individually.

A. Action to Approve the Minutes from the City of Converse Economic Development Corporation Board of Directors Meeting on August 12, 2008.

Due to absence of the August 12, 2008 meeting, Mr. Martin and Ms. Seguin requested to abstain from the vote.

Motion to **approve** the minutes from the City of Converse Economic Development Corporation Board of Directors meeting on August 12, 2008 was made **by Mr. Marbach. Seconded by Dr. Riley.** Motion **passed** unanimously with two (Martin and Seguin) abstentions.

B. Action to Approve Financial Report for July 2008.

Motion to **approve** the financial report for July 2008 was made **by Mr. Martin. Seconded by Mr. Mendoza.** Motion **passed** unanimously.

C. Action to Approve Investment Report for July 2008.

Mr. Mendoza requested clarification of details on the investment report. Mr. Wilson provided clarification.

Motion to **approve** the investment report for July 2008 was made **by Mr. Cone. Seconded by Ms. Seguin.** Motion **passed** unanimously.

5. Opening Remarks by the Chairman, Economic Development Corporation.

Chairman Degenhardt began by thanking all of the board members for their flexibility on the re-scheduling of the regular meeting date. He then asked for cooperation from the board members in regards to minimization of usage of the Corporate Attorney's services due to recent overages in the budget for attorney fees.

6. Discussion and Appropriate Action to Affirm and Approve the Economic Development Corporation's Investment Policy and Strategy Policy in Accordance with the Public Funds Act, Texas General Code, Section 2256.005, Vernon's Texas Codes Annotated.

Mr. Mendoza suggested written resolutions, which would indicate changes to the revised documents, should accompany the Investment and Strategy Policies as well as the Purchase Policy addressed in agenda item # 7.

Attorney, Mr. Ortiz, advised the board members that as long as written minutes are recorded along with a motion taking whichever action is equivalent to a resolution in this circumstance. In other words, a verbal resolution is acceptable for this action item as well as agenda item # 7.

A brief discussion ensued resulting in agreement that changes should be annotated in some manner, as a convenience to the board members, in the future.

A motion to **affirm and approve** the Economic Development Corporation's Investment Policy and Strategy Policy in accordance with the Public Funds Act, Texas General Code, Section 2256.005, Vernon's Texas Codes annotated was made **by Dr. Riley. Seconded by Ms. Seguin.** Motion **passed** with six (Martin, Degenhardt, Riley, Seguin, Cone, Marbach) in favor of and one (Mendoza) against.

7. Discussion and Appropriate Action to Affirm and Approve the Economic Development Corporation's Purchase Policy in Accordance with City Ordinance # 212 dated March 21, 2000, the Corporation's By-Laws and it's Articles of Incorporation.

Motion to **affirm and approve** the Economic Development Corporation's Purchase Policy in accordance with City Ordinance # 212 date March 21, 2000, the Corporation's By-Laws and it's Articles of Incorporation was made **by Mr. Martin. Seconded by Dr. Riley.** Motion **passed** with six (Martin, Degenhardt, Riley, Seguin, Cone, Marbach) in favor of and one (Mendoza) against.

8. Discussion and Appropriate Action to Consider a Request by the Executive Director to Expand the Acquisition of Land Associated with Parcels 5, 6, 7 and 8 of the Toepperwein Road Project to Include the Remainder of County Block 5951, Blocks 7 & 8.

Mr. Luft pointed out on a diagram the two vacant tracts of land being discussed (CB 5951, Blocks 7 & 8). Mr. Luft reported the staff's request for support in combining the remaining tracts of land for acquisition.

Attorney, Mr. Ortiz questioned whether or not the original Public Hearing included these remaining blocks for acquisition and added that another Public Hearing may be required if they were not.

Mr. Martin asked if this subject was too time-sensitive to table.

Attorney, Mr. Ortiz, replied that it can wait until next meeting.

A motion to postpone this agenda item until next meeting was made by **Mr. Martin. Seconded by Mr. Mendoza.** Motion **passed** unanimously.

9. Discussion and Appropriate Action of an Administrative Review of the By-Laws for the Economic Development Corporation by the Board of Directors.

Following discussion, a **motion to table** an administrative review of the by-laws for the Economic Development Corporation by the Board of Directors was made **by Mr. Martin. Seconded by Dr. Riley.** Motion **passed** unanimously.

10. Committee Reports:

- A.) Administration Committee (Mr. Mendoza and Mr. Cone)**
- B.) Business & Development Committee (Mr. Marbach and Ms. Seguin)**
- C.) Future Planning Committee (Dr. Riley and Mr. Martin)**

A. Administration Committee (Mr. Mendoza and Mr. Cone)

- No report.

B. Business & Development Committee (Mr. Marbach and Ms. Seguin)

- Mr. Marbach and Ms. Seguin deferred their comments to Mr. Luft to report during his briefing.

C. Future Planning Committee (Dr. Riley and Mr. Martin)

- Dr. Riley reported that at the present time they are still awaiting proposals to come in.

11. Briefing on Current Projects: (1) Project Description, (2) Brief Background, (3) Where we are Specifically, (4) Project Challenges (budget shortfalls, issues with contractors), (5) Upcoming Actions.

- A.) Toepperwein Project**
- B.) Lake Project**
- C.) Town Square Apartments**
- D.) Airport City Development**

A. Toepperwein Project:

- Affidavits needed for one of the acquisitions.
- Appraisers have been notified.
- Title commitments have come through.
- Friendly condemnation may be necessary if unable to find heirs.

B. Lake Project:

- A meeting has been scheduled in Austin for next week in which Mr. Luft and the City Manager, Mr. Sam Hughes, will meet with the Texas Parks and Wildlife.
- Plans have been sent to Texas Parks and Wildlife, hopefully encouraging them to come to Converse to take a look around.
- The next obstacle will be getting the City of San Antonio to agree to an ingress/egress easement.
- Conservatively coordinating with TXDot, Union Pacific, and the MPO for Crestway extension.
- Still approximately 3-5 years out.

C. Town Square Apartments:

- 73% leased.
- Plans for ribbon-cutting ceremony around the month of November.
- Commercially, willing buyer/seller applying for New Market Tax Credits.

D. Airport City Development:

- Developer will be present at next meeting to give a briefing during executive session.

Mr. Luft also briefly reported on the chronological schedule of events of the Gibbs Sprawl Road Redevelopment Project.

12. Recess

Chairman Degenhardt called for a recess at approximately 7:45 p.m.

13. Executive Session In Accordance With Section 551.072, Texas Open Meetings Act DELIBERATION REGARDING REAL PROPERTY; Closed Meeting. A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person. (205 South Seguin – Gibbs Sprawl Road Redevelopment Project)

14. Reconvene

Chairman Degenhardt reconvened the meeting at approximately 8:31 p.m.

15. **Action Authorizing the Executive Director of the City of Converse Economic Development Corporation to Purchase Land with Improvements Located at 205 South Seguin (CB 5563, Block N/A, Lot NW 140 feet of “H”), as Part of the Gibbs Sprawl Road Redevelopment Project at the Price Established by the Board of Directors of the Economic Development Corporation.**

Motion to authorize the Executive Director of the City of Converse Economic Development Corporation to purchase land with improvements located at 205 South Seguin (CB 5563, Block N/A, Lot NW 140 feet of “H”) as part of the Gibbs Sprawl Road Redevelopment Project in **accordance with discussions during executive session** was made by **Mr. Martin. Seconded by Dr. Riley.** Motion **passed** unanimously.

16. Future Items

- Bring back agenda item # 8.
- Discussion and appropriate action on proposed Economic Development Grant Performance Agreement.
- Evaluation of Economic Development Corporation’s Executive Director.
- Report on Status of Business Appreciation Breakfast
- Obtain Copy of Texas Landowner’s Bill of Rights (Spanish Version) from the Attorney General’s Office.
- Discussion and appropriate action of RFP’s (deadline date of September 26, 2008).

17. **Set a Date, Time and Location for Next Meeting – Tuesday, October 14, 2008, at 6:30 P.M., at Converse City Hall Conference Room No. 1, 405 South Seguin.**

18. Adjournment

Chairman Degenhardt adjourned the meeting at approximately 8:38 p.m.

PASSED AND APPROVED THIS 14TH DAY OF OCTOBER, 2008.

Carlton Degenhardt
EDC Chairman

ATTEST:

Leigh Ann Rogers
Secretary

